

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN**

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PROMEGA CORPORATION,

Plaintiff,

and

MAX-PLANCK-GESELLSCHAFT zur  
FORDERUNG der WISSENSCHAFTEN E.V.,

Case No. 10-cv-281-bbc

Involuntary Plaintiff,

v.

LIFE TECHNOLOGIES CORPORATION,  
INVITROGEN IP HOLDINGS, INC., and  
APPLIED BIOSYSTEMS, LLC,

Defendants.

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**STIPULATION REGARDING WORLDWIDE SALES OF STR KITS**

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Plaintiff Promega Corporation and Defendants Life Technologies Corporation, Applied Biosystems, LLC, and Invitrogen IP Holdings, Inc., (collectively, “Life”), by and through counsel, stipulate and agree as follows:

1. The following statement may be read to the jury in light of the rulings of the Court:

**“The parties agree that the total worldwide sales of STR kits by defendants during the 5 ½ year period from August 29, 2006 through December 31, 2011 were \$707,618,247.”**

2. This Stipulation is without prejudice to Life’s right to later challenge the Court’s rulings, including the summary judgment order and the pretrial rulings relating to the scope of

the license and the allocation of the burden of proof to Life. By entering into this stipulation, Life does not waive any such rights and specifically reserves the same.

DATED: February 6, 2012.

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